

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	No. CR-04-231-RHW
Plaintiff,	)	
	)	ORDER GRANTING MOTION
v.	)	AND SETTING CONDITIONS
	)	OF RELEASE
ANDRES RAMIREZ-BRISENO,	)	
	)	
Defendant.	)	
	)	

At the May 23, 2005, hearing on Defendant's Motion for release (Ct. Rec. 80, 81), the United States was represented by Assistant U.S. Attorney George Jacobs; the Defendant was present with counsel George Trejo. Interpreter Yolanda Velasco and U.S. Probation Officer Lori Baker also were present.

The Defendant filed his Motion following a mistrial in this matter. The United States does not oppose release under appropriate conditions.

The court finds there is a combination of conditions to assure the Defendant's appearance at future court hearings. Accordingly,

**IT IS ORDERED** the Defendant's Motion (Ct. Rec. 80, 81) is **GRANTED**. The Defendant shall be released on the following conditions:

1        1. Defendant shall not commit any offense in violation of  
2 federal, state or local law. Defendant shall advise his supervising  
3 Pretrial Services Officer and his attorney within one business day  
4 of any charge, arrest, or contact with law enforcement.

5        2. Defendant shall advise the court and the United States  
6 Attorney in writing before any change in address.

7        3. Defendant shall appear at all proceedings and surrender as  
8 directed for service of any sentence imposed.

9        4. Defendant shall sign and complete form A.O. 199C before  
10 being released and shall reside at the address furnished.

11        5. **The Defendant shall remain under home detention.**

12        6. Defendant shall remain in the Eastern District of  
13 Washington while the case is pending. On a showing of necessity,  
14 Defendant may obtain prior written permission to leave this area  
15 from the United States Probation Office.

16        7. Defendant shall maintain or actively seek lawful  
17 employment.

18        8. Defendant shall not possess a firearm, destructive device  
19 or other dangerous weapon.

20        9. Defendant is further advised, pursuant to 18 U.S.C. §  
21 922(n), it is unlawful for any person who is under indictment for a  
22 crime punishable by imprisonment for a term exceeding one year, to  
23 possess, ship or transport in interstate or foreign commerce any  
24 firearm or ammunition or receive any firearm or ammunition which has  
25 been shipped or transported in interstate or foreign commerce.

26        10. Defendant shall refrain from the excessive use of alcohol,  
27 and the use or possession of a narcotic drug and other controlled  
28 substances defined in 21 U.S.C. § 802, unless prescribed by a

1 licensed medical practitioner. Defendant shall submit to a regular  
2 urinalysis, or related testing, as directed by a United States  
3 Probation Officer. Defendant shall undergo a substance abuse  
4 evaluation and/or mental health evaluation and/or counseling, if  
5 directed by a United States Probation Officer, and complete  
6 treatment indicated by these evaluations. Defendant shall be  
7 responsible for the cost of testing, evaluation and treatment unless  
8 the United States Probation Office should determine otherwise. The  
9 United States Probation Office shall also determine the time and  
10 place of testing and evaluation and the scope of treatment.

11 11. Defendant shall report to the United States Probation  
12 Office before or immediately after his release and shall report as  
13 often as they direct, at such times and in such manner as they  
14 direct. Defendant shall contact his attorney at least once a week.

15 12. The Defendant shall post a \$5,000 corporate surety or  
16 property bond, together with a \$5,000 appearance bond, to be co-  
17 signed by Defendant's spouse.

18 13. **Defendant shall have no contact, direct or indirect, with**  
19 **witnesses in this matter, including Sadie Cano, Angel Cano, Manual**  
20 **Estrada or Rogelio Cisneros. Defendant shall not discuss this case**  
21 **with his sister-in-law Darlene Watt.**

22 Defendant is advised a violation of any of the foregoing  
23 conditions of release may result in the immediate issuance of an  
24 arrest warrant, revocation of release and prosecution for contempt  
25 of court, which could result in imprisonment, a fine, or both.  
26 Specifically, Defendant is advised a separate offense is established  
27 by the knowing failure to appear and an additional sentence may be  
28 imposed for the commission of a crime while on this release. In

1 this regard, any sentence imposed for these violations is  
2 consecutive to any other sentence imposed.

3 DATED May 24, 2005.

4  
5 S/ CYNTHIA IMBROGNO  
6 UNITED STATES MAGISTRATE JUDGE  
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